

preservation. Any downgrading or declassification determination shall be indicated on each document by markings as required by subpart E of this part.

§ 159a.28 Downgrading.

(a) *Automatic Downgrading.* Classified information marked for automatic downgrading in accordance with this or prior regulations or E.Os. is downgraded accordingly without notification to holders.

(b) *Downgrading Upon Reconsideration.* Classified information not marked for automatic downgrading may be assigned a lower classification designation by the originator or by an official authorized to declassify the same information. Prompt notice of such downgrading shall be provided to known holders of the information.

§ 159a.29 Miscellaneous.

(a) *Notification of Changes in Declassification.* When classified material has been properly marked with specific dates or events for declassification, it is not necessary to issue notices of declassification to any holders. However, when declassification action is taken earlier than originally scheduled, or the duration of classification is extended, the authority making such changes shall ensure prompt notification of all holders to whom the information was originally transmitted. The notification shall specify the marking action to be taken, the authority therefor, and the effective date. Upon receipt of notification, recipients shall effect the proper changes and shall notify holders to whom they have transmitted the classified information. See § 159a.34 (a) and (e) for markings and the use of posted notices.

(b) *Foreign Relations Series.* In order to permit the State Department editors of *Foreign Relations of the United States* to meet their mandated goal of publishing twenty years after the event, DoD Components shall assist the editors in the Department of State by easing access to appropriate classified materials in their custody and by expediting declassification review of items from their files selected for possible publication.

(c) *Reproduction for Declassification Review.* The provisions of § 159a.55(f) shall not restrict the reproduction of documents for the purpose of facilitating declassification review under the provisions of this subpart or the Freedom of Information Act, as amended. After review for declassification, however, those reproduced documents that remain classified must be destroyed in accordance with subpart J of this part.

Subpart E—Marking

§ 159a.31 General provisions.

(a) *Designation.* Subject to the exceptions in paragraph (c) of this section, information determined to require classification protection under this part shall be so designated. Designation by means other than physical marking may be used but shall be followed by physical marking as soon as possible.

(b) *Purpose of Designation.* Designation by physical marking, notation, or other means serves to warn the holder about the classification of the information involved; to indicate the degree of protection against unauthorized disclosure that is required for that particular level of classification; and to facilitate downgrading and declassification actions.

(c) *Exceptions.* (1) No article that has appeared, in whole or in part, in newspapers, magazines or elsewhere in the public domain, or any copy thereof, that is being reviewed and evaluated to compare its content with classified information that is being safeguarded in the Department of Defense by security classification, may be marked with any security classification, control or other kind of restrictive marking. The results of the review and evaluation, if classified, shall be separate from the article in question.

(2) Classified documents and material shall be marked in accordance with paragraph (d) of this section unless the markings themselves would reveal a confidential source or relationship not otherwise evident in the document, material, or information.

(3) The marking requirements of paragraph (d) (1)(iv) and (2)(iv) of this section do not apply to documents or

other material that contain, in whole or in part, Restricted Data or Formerly Restricted Data information. Such documents or other material or portions thereof shall not be declassified without approval of the Department of Energy with respect to Restricted Data or Formerly Restricted Data information, and with respect to any other national security information contained therein, the approval of the originating agency.

(d) *Documents or Other Material in General.* (1) At the time of original classification, the following shall be shown on the face of all originally classified documents or clearly associated with other forms of classified information in a manner appropriate to the medium involved:

- (i) The identity of the original classification authority by position title, unless he or she is the signer or approver of the document;
- (ii) The agency and office of origin;
- (iii) The overall classification of the document;

(iv) The date or event for automatic declassification or the notation “Originating Agency’s Determination Required” or “OADR”; and, if applicable,

(v) Any downgrading action to be taken and the date or event thereof.

(2) At the time of derivative classification, the following shall be shown on the face of all derivatively classified documents or clearly associated with other forms of classified information in a manner appropriate to the medium involved:

(i) The source of classification, that is, a source document or classification guide. If classification is derived from more than one source, the phrase “Multiple Sources” will be shown and the identification of each source will be maintained with the file or record copy of the document;

(ii) The agency and office of origin of the derivatively classified document;

(iii) The overall classification of the document;

(iv) The date or event for declassification or the notation “Originating Agency’s Determination Required” or “OADR,” carried forward from the classification source. If the classification is derived from multiple sources, either the most remote date or event

for declassification marked on the sources or if required by any source, the notation “Originating Agency’s Determination Required” or “OADR” shall be shown; and, if applicable,

(v) Any downgrading action to be taken and the date or event thereof.

(3) In addition to the foregoing, classified documents shall be marked as prescribed in § 159a.32, subpart L of this part, if the document contains foreign government information, and with any applicable special notation listed in § 159a.35. Such notations shall be carried forward from source documents to derivatively classified documents when appropriate. Provides illustrated guidance on the application of classification and associated markings to documents prepared by the Department of Defense.

(4) Material other than paper documents shall show the required information on the material itself or if that is not practical, in related or accompanying documentation.

(e) *Identification of Classification Authority.* (1) Identification of a classification authority shall be shown on the “Classified by” line prescribed under § 159a.34(c) and shall be sufficient, standing alone, to identify a particular official, source document or classification guide.

(i) If all information in a document or material is classified as an act of original classification, the classification authority who made the determination shall be identified on the “Classified by” line, unless the classifier is also the signer or approver of the document.

(ii) If the classification of all information in a document or material is derived from a single source (for example, a source document or classification guide), the “Classified by” line shall identify the source document or classification guide, including its date when necessary to insure positive identification.

(iii) If the classification of information contained in a document or material is derived from more than one original classification authority, or an original classification authority and another source, or from more than one source document, classification guide, or combination thereof, the “Classified

by" line shall be marked "Multiple Sources" and identification of all such authorities and sources shall be maintained with the file or record copy of the document.

(iv) If an official with requisite classification authority has been designated by the head of an activity to approve security classifications assigned to all information leaving the activity, the title of that designated official shall be shown on the "Classified by" line. The designated official shall maintain records adequate to support derivative classification actions.

(2) Guidance concerning the identification of the classification authority on electronically transmitted messages is contained in § 159a.32(h).

(3) Guidance concerning the identification of the classification authority on DoD documents that contain only foreign or NATO classified information is contained in § 159a.77(d).

(f) *Wholly Unclassified Material.* Normally, unclassified material shall not be marked or stamped "Unclassified" unless it is essential to convey to a recipient of such material that it has been examined with a view to imposing a security classification and that it has been determined that it does not require classification. However, the marking "Unclassified" may be applied to formerly classified material.

§ 159a.32 Specific markings on documents.

(a) *Overall and Page Marking.* Except as otherwise specified for working papers, the overall classification of a document, whether or not permanently bound, or any copy or reproduction thereof, shall be conspicuously marked, stamped or affixed permanently at the top and bottom on the outside of the front cover (if any), on the title page (if any), on the first page, and on the outside of the back cover (if any). Each interior page, except those that are blank, shall be marked top and bottom according to its content, to include "Unclassified" when no classified information is contained on such a page. Alternatively, the overall classification of the document may be conspicuously marked or stamped at the top and bottom of each interior page when such marking is necessary to achieve

production efficiency and the particular information to which classification is assigned is otherwise sufficiently identified consistent with the intent of paragraph (c) of § 159a.32. In any case, the classification marking of a page shall not supplant the classification marking of portions paragraph (c) of this section of the page marked with lower levels of classification.

(b) *Marking Components.* The major components of some complex documents are likely to be used separately. In such instances, each major component shall be marked as a separate document in accordance with § 159a.31. Examples include each annex, appendix, or similar component of a plan, program, or operations order; attachments and appendices to a memorandum or letter; and each major part of a report. If an entire major component is unclassified, the first page of the component may be marked at the top and bottom with the designation "UNCLASSIFIED" and a statement included, such as, "All portions of this (annex, appendix, etc.) are UNCLASSIFIED." When this method of marking is used, no further markings are required on the unclassified major component.

(c) *Portion Marking.* (1) Each section, part, paragraph, or similar portion of a classified document shall be marked to show the level of classification of the information contained in or revealed by it, or that it is unclassified. Portions of documents shall be marked in a manner that eliminates doubt as to which of its portions contains or reveals classified information. Classification levels of portions of a document, except as provided in paragraph (e) of this section, shall be shown by the appropriate classification symbol placed immediately following the portion's letter or number, or in the absence of letters or numbers, immediately before the beginning of the portion. In marking sections, parts, paragraphs, or similar portions, the parenthetical symbols "(TS)" for Top Secret, "(S)" for Secret, "(C)" for Confidential, and "(U)" for unclassified, shall be used. When appropriate, the symbols "RD" for Restricted Data and "FRD" for Formerly Restricted Data shall be added, for example, "(S-RD)" or "(C-